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MICHIGAN HOUSE OF REPRESENTATIVES

PAUL E. OPSOMMER

STATE REPRESENTATIVE

October 16, 2007

Honorable Members of the Tourism, Outdoor Recreation, and Natural Resources Committee Honorable Joel Sheltrown, Majority Chair Honorable Kate Ebli, Majority Vice Chair Honorable Tom Casperson, Minority Vice Chair

Written testimony regarding HB 4490

Dear Colleagues:

Michigan is a state with many outdoors and firearm enthusiasts, who enjoy hunting, outdoor target practice, and participating in other shooting sports. While purchasing rifles and shotguns is a fairly straightforward practice in Michigan, the process for purchasing handguns is based primarily on Act 372 from 1927, which has been amended several times over the years and has become a heavily bureaucratic process full of redundancy. As a result, it has become a time consuming process that needs to be reexamined. Firearm purchasers have to take multiple days off of work in order to buy a gun, and are often forced to drive long distances during limited hours. It is becoming increasingly evident that the process can be streamlined in a manner that saves resources for both consumers and law enforcement while still ensuring that firearms continue to be purchased by only age appropriate, law abiding citizens.

I am here today to give testimony that this can be accomplished through HB 4490 and associated bills. In looking at the pistol purchase process in Michigan, we are one of only seventeen states that rely on a bureaucratic licensing scheme in order to buy a handgun. This process is lengthy and time consuming and can be divided up into three categories (illustrated in Chart 1):

- 1) Pre-purchase processes
- 2) The point of purchase
- 3) Post purchase processes

HB 4490 focuses on post-purchase processes. As a result, it does not change anything in the gun law in regards to who can purchase a firearm. It also does not change anything in regards to the number of background checks that occur in the firearm purchase process, but instead focuses primarily on eliminating the redundancy of consumers having to go to law enforcement in order to obtain a so called "safety inspection" certificate, which adds nothing of value to the many other forms that are already created as part of the process.

"A cursory inspection has been made of the pistol presented. A check for operational or mechanical defects has not been made of this pistol."

It is no wonder then that most gun buyers view "safety inspections" as a waste of time and money that accomplishes little. Since they have already potentially had to make a trip to law enforcement to get a purchase license, it represents just another step that forces them to take additional time off work, drive long distances, or to be met with restrictive hours in which the "inspections" may be offered.

Eliminating safety inspections and "safety certificates" (RI-11) does not eliminate any other forms used in the purchase process, such as the "pistol sales record" (RI-60) or the "application & license to purchase a pistol" (RI-10). Like the redundant safety certificate, these forms also include space for information on the pistols make, model, caliber, shot count and serial number. Eliminating the safety certificates will however obviate the need for many purchasers to have to return back to law enforcement after they have purchased the pistol, and along with changes to form RI-10 that would indicate who must mail the form to the State Police, will continue to ensure that law enforcement continues to have full access to these records as well. Only the burdensome post-purchase process will be affected.

I ask for your support of HB 4490 to help relieve the administrative burden and duplicative processes associated with safety inspections and the pistol purchase process.

Respectfully submitted,

Paul Opsommer, 93rd District

State of Michigan Pistol Purchase Process

Purchasers who have CPL licenses

Obtain form RI-60 ("Pistol Sales Record"). Criminal Background checks have been previously completed as part of getting CPL license. Form is in triplicate.

Purchasers who do **not** have <u>CPL licenses:</u>

Obtain form RI-10 ("Application & License to Purchase Pistol") by making a trip to local law enforcement and having them conduct a federal NICS background check on the purchaser (they may also conduct state level background check as well). Form is in triplicate.

Point of purchase. Have form completed by gundealer. Before the transaction can be completed, the gun dealer runs the purchaser through the federal NICS background check again. For both RI-10 and RI-60, the pistol's manufacturer, model, caliber, shot count, and serial number must be filled out.

Post purchase processes:

CURRENT: With form RI-60 (triplicate), the seller keeps one copy, the seller sends one copy to the state police, the purchaser keeps one copy. The purchaser must make a trip to local law enforcement to get form RI-11 (Safety Inspection Certificate).

PROPOSED: No changes, with the exception that the purchaser does NOT have to make a trip to local law enforcement to get a safety inspection conducted. Therefore, the purchaser does NOT need to go back to local law enforcement after they have purchased the firearm.

Post purchase processes:

CURRENT: With form RI-10 (triplicate), the seller gets a copy, and the purchaser must bring two copies to local law enforcement. Local law enforcement sends one copy to the state police, keeps one copy, and issues the purchaser form RI-11 (Safety Inspection Certificate).

PROPOSED: Form RI-10 would mimic form RI-60 in regards to the seller having to keep one copy, the seller sends one copy to the state police, and the purchaser keeps one copy. The purchaser would therefore NOT have to make a trip to local law enforcement for the state police to register the firearm, or for a safety inspection to occur.

RI-60 (3/01)	Pistol S	ales Reco	Ord (Type or print in int)						
Michigan State Pr			(Type or print in ink)						
Make			Serial Number						
Caliber	Shot	Туре	Model						
Purch	aser								
Name: Last First Middle									
Address		•	City						
CCW No.		Date of birth							
Purchaser's signature									
Seller's Nan	ne (printed)	Date							
Seller's Name (printed)									
Firearm Records Unit, Michigan State Police, 7150 Hams Drive, Lansing, MI 48913									
Pistol must be presented by the purchaser to the local police authority for a safety inspection.									
An individual who makes a material false statement on this form is guilty of a felony.									
Authority: 2000 PA 381. Completion: Mandatory for safe to proceed without a License to Purchase.									
RI-60 (3/01) Pistol Sales Record (Type or print in ink)									
Make			Serial Number						
Caliber	Shot	Туре	Model						
Purcha	1807								
Name: Last		First	Middle						
Address		•	City						
CCW No.		Date of birth .							
Purchaser's	Purchaser's signature								
Seller's Nam	e (printed)	Date							
	(r sends original within 10 days of purchase to						
	Unit, Michigan State Police								
			authority for a safety inspection.						
Authorit	rnakes a material false str y: 2000 PA 381. Completion:	Mandatory for sale	orm is guilty of a felony. To proceed without a License to Furchase.						
RI-60 (3/01) Pistol Sales Record (Type or print in ink)									
Make			Serial Number						
Caliber	Shot	Туре	Model						
Purcha	ser								
Name: Last		First	Middle						
Address	-	ŀ	City -						
CCW No.			Date of birth						
Purchaser's signature									
Seller's Name (printed) Date									
Distribution: one copy to seller; one copy to purchaser. Seller sends original within 10 days of purchase to									
Finearm Records Unit, Michigan State Police, 7150 Harris Drive, Lansing, MI 48913 Pistol must be presented by the purchases to the lead entire parts of the research.									
Pistol must be presented by the purchaser to the local police authority for a safety inspection. An individual who makes a material false statement on this form is guilty of a felony.									
Authority: 2006 PA 381, Completion: Mandatory for sale to proceed without a License to Purchase.									

APPLICATION AND LICENSE TO PURCHASE A PISTOL

Name (Last, First, Mic	idle)		Issue Date:		Void After (Date):			
Signature of the or	med	08/08/2003 08/18/2003 Department						
Veer	4.D.	CLINTON CO. SHERIFF						
Signature of Seller:		Manufacturer or Importer of Pistol:						
Address of Seller:		Cal:	Shot:	Serial No.:				
City:	State:	Model:		Type: Semi-auto. Revolver Other				
Date of Sale:	of Purchase	r:		Barrel Length:				
PISTOLS MUST BE SUBMITTED FOR SAFETY INSPECTION WITHIN 10 DAYS AFTER PURCHASE Unused forms must be returned to the issuing agency. 03220080975J ISSUING AGENCY COPY								
RI-10 (11/99)		Michigan	State Polic	. <u></u>	TYPE OR PRINT IN INK			
APPLICATION AND LICENSE TO PURCHASE A PISTOL 03220080975J								
Name (Last, First, Middle)			Issue Date: 08/08/2003		Void After (Date): 08/18/2003			
Signature of Chief or	as_	Department						
Signature of Seller:		CLINTON CO. SHERIFF Manufacturer or Importer of Pistol:						
signature of sener.		.turer or mag	orter of Fistor.					
Address of Seller:		Cal:	Shot:	Serial No.:				
City:	State:	Model:		Type: ☐ Semi-auto. ☐ Revolver ☐ Other				
Date of Sale:	of Purchasei	:		Barrel Length:				
Issuing Agency, send this copy to: MICHIGAN STATE POLICE CRIMINAL JUSTICE INFORMATION CENTER 7150 HARRIS DRIVE, LANSING, MI 48913								
RI-10 (11/99)		Michigan S	ate Police TYPE OR PRINT IN INK					
APPLICATION AND LICENSE TO PURCHASE A PISTOL								
Name (Last, First, Mido		Issue Date: 08/08/2003		Void After (Date): 08/18/2003				
Signature of Chief or S	eal	Department CLINTON CO. SHERIFF						
signature of Seller:	1	Manufacturer or Importer of Pistol:						
Address of Seller:		Cal:	Shot:	Serial No.:				
City: State:					Type: Semi-auto. Revolver Other			
Pate of Sale: Signature of Purchaser:					Barrel Length:			

Street
St

State law profibits the terrishing, teating, grining or solling of this pixel to another unless that person (including purifications) frot obtains a license to purchase a pixel. Welshing of this law is a criminal offense.

A cheek for operational or mechanical defects has not been there of this paints presented. A cheek for operational or mechanical defects has not been there of this pistol.

ODMINITY: MCL 28.429
ODMINITARICE: Required
Disclosure of confidential information is presented by the Federal Privacy Act

The a MOT a permit to carry a conceased weapon